

## REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated September 27, 2007, is respectfully requested in view of this amendment. By this amendment, claims 15-17 have been added. Claims 1, 2, 4 – 7, 10, and 12 – 17 are pending in the application.

Newly submitted independent claim 15 includes the limitations of claim 12, which had been deemed allowable. Claims 16 and 17 correspond to claims 13 and 14, respectively, and depend from claim 15.

In the Outstanding Office Action, the Examiner rejected claims 10 and 14 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,572,288 (*Kinley*) in view of U.S. Patent No. 5,369,579 (*Anderson*). Claims 1, 2, 4 – 7 were allowed and claims 12-13 were deemed allowable. This determination of allowance is appreciated by the applicant.

### **Rejections Under 35 U.S.C. §103(a)**

The Examiner rejected claims 10, and 14 under 35 U.S.C. 103(a) as being unpatentable over *Kinley* in view of *Anderson*.

### **Response**

This rejection is traversed as follows. To establish a *prima facie* case of obviousness, the Examiner must establish: (1) that some suggestion or motivation to modify the references exists; (2) a reasonable expectation of success; and (3) that the prior art references teach or suggest all of the claim limitations. *Amgen, Inc. v. Chugai Pharm. Co.*, 18 USPQ2d 1016, 1023 (Fed. Cir. 1991); *In re Fine*, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 USPQ 494, 496 (CCPA 1970).

Claim 10 describes:

"... an electronic timer ... comprising a receiver (1) for receiving reset signals generated by currents in the cable (2), auxiliary inlets for signals from sensors for physical parameters, ... cutter control (4), and a pick-up (3) which generates reset signals.

*Kinley* describes a cable cutter for a well tool, a circuit board assembly (29) with an electronic timer, a binary counter (51), a frequency adjustment circuit (52), and a counter reset circuit (53). In particular, *Kinley* fails to show or suggest the use of a pickup. Element 53 cited in the Office Action is an internal circuit function of the circuit board assembly used to control the counter function and has no function relative to a pickup. The reset features are part of the clock and counter circuit and not related to the use of a pickup. Therefore, the *Kinley* configuration would necessarily "teach away from" the use of a pickup which generates reset signals. Instead the reset signals are part of the internal function of the clock and counter logic circuit.

Accordingly, *Kinley* fails to suggest the use of "a pick-up (3) which generates reset signals".

*Anderson* is cited as teaching a cutter control that has auxiliary inlets. A review of *Anderson* indicates that data is stored in memory:

..." the memory can be dumped to a computer memory \*1.48 for storage and later processing. These well data sets include well data before, during and immediately following blasting to provide a full range of data that evidences the condition of the formation to be produced." (*Anderson* at col. 3, lines 47-52.)

Accordingly, there is no suggestion or showing in either *Kinley* or *Anderson* that pick-up generate reset signals in the claimed environment.

It is therefore respectively submitted that the rejection under 35 U.S.C. 103(a) of claim 10 and claims dependent therefrom should be withdrawn.

#### **Allowed Claims**

The Examiner indicated that claims 1, 2 and 4 – 7 are allowed, and claims, and 12 – 13 are allowable over the prior art of record. As indicated, claim 12 has been rewritten into independent form as claim 15, albeit without the terminology, "characterised in that". Applicants appreciate this determination of allowability.

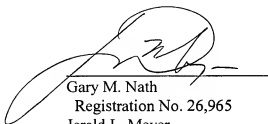
**Conclusion**

In light of the foregoing, Applicant submits that the application is in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner call the undersigned.

Respectfully submitted,  
**THE NATH LAW GROUP**

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THE NATH LAW GROUP  
112 South West Street  
Alexandria, VA 22314-2891  
Tel: 703-548-6284  
Fax: 703-683-8396

A handwritten signature in black ink, appearing to read 'Gary M. Nath', is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long horizontal stroke extending to the right.

Gary M. Nath  
Registration No. 26,965  
Jerald L. Meyer  
Registration No. 41,194  
Stanley N. Protigal  
Registration No. 28,657  
Customer No. 20529